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**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

|                                     |   |                                    |
|-------------------------------------|---|------------------------------------|
| _____                               | ) | Civil Action No. 3:19-cv-00807-RS  |
| Innovation Law Lab, <i>et al.</i> , | ) |                                    |
| Plaintiffs,                         | ) | <b>DEFENDANTS' CONSENT MOTION</b>  |
|                                     | ) | <b>FOR AN EXTENSION OF TIME TO</b> |
|                                     | ) | <b>RESPOND TO THE COMPLAINT</b>    |
| v.                                  | ) |                                    |
|                                     | ) |                                    |
|                                     | ) |                                    |
| Kirstjen Nielsen, <i>et al.</i> ,   | ) |                                    |
|                                     | ) |                                    |
| Defendants.                         | ) |                                    |
| _____                               | ) |                                    |

1 Defendants hereby move for a 30-day extension of time to answer or otherwise respond  
2 to the Complaint such that Defendants' response must be filed on or before May 29, 2019.

3 Plaintiffs consent to this Motion. Defendants offer the following support for their motion:

4 1. Plaintiffs filed their Complaint on February 14, 2019, *see* Dkt. 1, and served their  
5 Complaint on Defendants on February 28, 2019.

6 2. Defendants' deadline to answer or otherwise respond to the Complaint is April  
7 29, 2019. *See* Fed. R. Civ. P. 12(a)(2), 12(b).

8 3. On April 8, 2019, this Court granted Plaintiffs' motion for a preliminary  
9 injunction. *See* Dkt. 73. Thereafter, Defendants filed a notice of appeal from this Court's  
10 order. *See* Dkt. 75.

11 4. Subsequently, the U.S. Court of Appeals for the Ninth Circuit set a deadline of  
12 May 8, 2019 for Defendants to file their opening brief. *See Innovation Law Lab et al. v.*  
13 *Kirstjen Nielsen et al.*, No. 19-15716, Dkt. 2 (9th Cir. Apr. 11, 2019). In addition,  
14 Defendants have "exercise[d] their right to seek a stay from the Court of Appeal[s]," Dkt. 73  
15 at 26, and, in the interim, the Ninth Circuit has administratively stayed the preliminary  
16 injunction pending consideration of Defendants' motion to stay. *See Innovation Law Lab et*  
17 *al. v. Kirstjen Nielsen et al.*, No. 19-15716, Dkt. 6 (9th Cir. Apr. 12, 2019). That motion is  
18 fully briefed, and the Ninth Circuit is scheduled to hear oral argument on the motion to stay  
19 on April 24, 2019. *See id.*, Dkt. 12 (9th Cir. Apr. 17, 2019).

20 5. To conserve judicial resources and avoid duplicative litigation on the same merits  
21 issues in two different forums at the same time, Defendants seek a 30-day extension of time  
22 to answer or otherwise respond to the Complaint filed in this Court, so that Defendants'  
23 response must be filed on or before May 29, 2019.

24 6. Plaintiffs consent to this Motion.

25 Accordingly, Defendants respectfully request a 30-day extension of time to  
26 answer or otherwise respond to the Complaint such that their response must be filed on or  
27 before May 29, 2019.  
28

Respectfully submitted,

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Dated: April 22, 2019

*Attorneys for Defendants*

**CERTIFICATE OF SERVICE**

I hereby certify that on April 22, 2019, I electronically filed the foregoing document with the Clerk of the Court for the United States Court of for the Northern District of California by using the CM/ECF system. Counsel in the case are registered CM/ECF users and service will be accomplished by the CM/ECF system.

By: /s/ Archith Ramkumar  
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